

FILED

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

2012 APR -4 P 4:19

CLERK US DISTRICT COURT  
ALEXANDRIA, VIRGINIA

JANE DOE,  
Plaintiff,

v.

LINDA HOWARD et al  
Defendant

Case No. 1:11-cv-1105

Motion to Dismiss  
Notice of Hearing 20th April at 10 AM

I, Linda Howard request the court to dismiss case 1:11 CV1105 for the following reason:

Federal Rule of Civil Procedure Rule (19) failure to join the party.

My husband Russell Howard is not in the United States and has not been in the United States since June 2010.

The court has no jurisdiction over my husband since he is not a citizen of the United States and the alleged incidents claimed by the plaintiff did not occur in the United States. The alleged incidents did not occur between citizens of the United States.

Since Russell Howard is required to be joined and cannot be joined, Russell Howard is indispensable to the action. The court must determine whether, in equity and good conscience, the action should proceed.

Linda Howard  
Howardl@state.gov  
Russlindy@gmail.com  
202 445 4932

United States District Court  
Eastern District of Virginia  
Alexandria Division

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CLERK US DISTRICT COURT  
ALEXANDRIA, VIRGINIA

Jane Doe  
Plaintiff

vs

Linda Howard  
Defendant

Case No. 1:11-CV-1105

### CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing (1) Motion to Dismiss was mailed this (2) 4<sup>th</sup> day of April 2012 to (3) Daniel Chudd at (4) Jenner & Block @ (5) 1099 New York Ave N.W. Suite 900, Washington D.C. 20001 - 4412

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HowardL@state.gov  
Russlindy@gmail.com

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